

SEVENTY-THIRD DAY.

Senate Chamber,
Austin, Texas,
May 21, 1931.

The Senate met at 9 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar E. Witt.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.
Oneal.	

Prayer by Rev. Holt, Chaplain of the House.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

House Bill No. 998.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 998, A bill to be entitled "An Act validating, ratifying, confirming, and approving the acts, orders and proceeding of the commissioners' court of Somervell County, Texas, relating to incorporation of the City of Glen Rose; validating, ratifying, confirming and approving the boundary lines, etc., and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to third reading.

On motion of Senator Pollard the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 998 was put on its third reading and final passage by the following vote:

Yeas—31.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.
Oneal.	

Read third time and finally passed.

Conference Committee Granted.

On motion of Senator Thomason, the Senate granted the request of the House for a Conference Committee on H. B. No. 215.

House Bill No. 1058.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 1058, A bill to be entitled "An Act to authorize the commissioners' court in each county having a population of not less than 13,975 and not more than 14,050, as shown by the preceding United States census, to allow all county and precinct officers expenses incurred by them for official telephone, etc., and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to third reading.

On motion of Senator Berkeley the constitutional rule requiring bills to be read to three several days was suspended and H. B. No. 1058 was put on its third reading and final passage by the following vote:

Yeas—31.

Beck.	DeBerry.
Berkeley.	Gainer.
Cousins.	Greer.
Cunningham.	Hardin.

Holbrook.	Pollard.
Hopkins.	Purl.
Hornsby.	Rawlings.
Loy.	Russek.
Martin.	Small.
Moore.	Stevenson.
Neal.	Thomason.
Oneal.	Williamson.
Parr.	Woodruff.
Parrish.	Woodul.
Patton.	Woodward.
Poage.	

Read third time and finally passed.

House Bill No. 595.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Davis:

H. B. No. 595, A bill to be entitled "An Act to amend Article 3269 of the Revised Civil Statutes of 1925, providing for procedure and practice in suits against those having the right of eminent domain for property, damages to property, or injunction, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Woodward the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 595 was put on its third reading and final passage by the following vote:

Yeas—31.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.
Oneal.	

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Cousins.
Berkeley.	Cunningham.

DeBerry.	Parrish.
Gainer.	Patton.
Greer.	Poage.
Hardin.	Pollard.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.
Parr.	Woodward.

Nays—3.

Oneal.	Rawlings.
Purl.	

H. C. R. No. 54.

The Chair laid before the Senate: H. C. R. No. 54, Relating to the disposition of certain metal plates.

The resolution was read.

Senator Purl sent up the following amendment:

Amend by adding "that the plates be sold under directions of the Board of Control."

PURL.

Read and adopted.

The resolution was adopted.

H. J. R. No. 31.

The Chair laid before the Senate on its third reading the following bill:

H. J. R. No. 31, Proposing an amendment to Section 26, of Article 3, of the Constitution of Texas, by adding thereto Section 26a, providing that under no apportionment shall any county be entitled to more than five representatives unless the population of such county shall exceed five hundred thousand people; providing for the apportionment in counties of more than five hundred thousand people; providing for its submission to the voters as required by the Constitution and making an appropriation therefor.

Read third time.

On motion of Senator Woodruff, the previous question was ordered on the final passage of the resolution.

The resolution failed to finally pass by the following vote:

Yeas—19.

Beck.	DeBerry.
Berkeley.	Hardin.
Cunningham.	Loy.

Martin.	Poage.
Moore.	Pollard.
Neal.	Small.
Oneal.	Thomason.
Parr.	Woodruff.
Parrish.	Woodward.
Patton.	

Nays—11.

Cousins.	Purl.
Gainer.	Rawlings.
Greer.	Stevenson.
Holbrook.	Williamson.
Hopkins.	Woodul.
Hornsby.	

Absent—Excused.

Russek.

Conference Committee Appointed.

The Chair announced the appointment of the following Senators as a Conference Committee on H. B. 215:

Senators Thomason, Patton, Neal, Cousins, and Greer.

Messages From the House.

Hall of the House of Representatives,
Austin, Texas, May 21, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 206, A bill to be entitled "Amending the Revised Civil Statutes of 1925, and providing a period of limitation defining who are trespassers, and creating presumptions, etc."

(With amendments.)

S. B. No. 447, A bill to be entitled "An Act authorizing the Game, Fish and Oyster Commission to construct a channel through Padre Island, Mustang Island and St. Jo Island, etc., and declaring an emergency."

(With amendments.)

S. B. No. 378, A bill to be entitled "An Act creating a division under the State Department of Agriculture providing for the classification and grading of rough rice; providing the rules and regulations to be promulgated by the Commissioner of Agriculture; providing the means and manner of classifying and grading of rough rice; providing for inspectors and graders for such purpose, and for their salaries; making appropriation; providing for the issuance of certificates and for the admission of same in evidence in judicial proceedings; providing that the

Commissioner of Agriculture shall adopt the standards prescribed or promulgated by the United States Department of Agriculture, and be governed by the standards of rough rice prescribed by the United States Department, or the Secretary of Agriculture, or any other place or agency of the Federal Government; providing generally for the enforcement hereof and declaring an emergency."

S. B. No. 484, A bill to be entitled "An Act to amend Article 3079, Chapter Eleven, Title 50 of the Revised Civil Statutes of Texas, 1925; and adding thereto Articles 3079A, 3079B and 3079C, providing for the time that electors may be chosen for President and Vice-President of the United States; the manner in which they may be elected; and how the returns shall be canvassed, and providing for the making of certificates to the Secretary of State by the Chairman of the State Committee of said party and designating the time in which said certificates shall be made.

S. B. No. 541, A bill to be entitled "An Act amending Article 6866 of the Revised Civil Statutes of 1925 relating to the oath and bond of sheriffs so as to provide that sheriffs and their deputies shall not be responsible on their official bonds or personally because of having received or confined any prisoner delivered to them by a State Ranger, and declaring an emergency."

(With amendments.)

S. B. No. 456, A bill to be entitled "An Act to amend Chapter 13, Title 71, Revised Civil Statutes of Texas, 1925, by adding thereto Article 4585a, to provide that the board, or their duly authorized agents, may, upon receiving such bodies, deliver to the State Board of Embalming such number of the same as may be necessary for the use of said State Board of Embalming in conducting its semi-annual examinations; and may further deliver to any school of embalming in this State that is recognized and certified by the State Board of Embalming such number of said bodies as the board may in its judgment think necessary for use in instruction given in such schools; and declaring an emergency."

S. B. No. 478, A bill to be entitled "An Act extending the boundaries in the Counties in Texas, adjacent to the State of New Mexico, so as to include within said Counties that part

of what was formerly a part of the State of New Mexico, as fixed by the survey of John H. Clark, which was approved by the Acts of Congress, 61st Congress, Third Session, S. J. R. No. 124; prescribing metes and bounds for the perfecting of records, and the admission of evidence affecting title to such lands; and declaring an emergency."

S. B. No. 499, A bill to be entitled "An Act to amend Article 1840 by adding thereto another section, to be known as Article 1840-A, providing that when an appeal has been taken and the bond or recognizance is defective, the Appellate Court may allow the appellant to amend such bond or recognizance by filing a new bond; providing the time, means and manner thereof, and declaring an emergency."

The House has concurred in Senate Amendments to H. B. No. 648 by a viva voce vote.

The House has refused to adopt the Free Conference Committee Report on Senate Bill No. 375 (by a vote of 55 yeas and 53 nays.) and requests the appointment of a new conference committee to adjust the differences between the two Houses. The following are appointed on the part of the House:

Bradley, Hawsley, Burns or Walker, Adams of Jasper, Coombes.

The House has passed the following bills:

S. B. No. 531, A bill to be entitled "An Act to amend Section 56 of S. B. No. 111, Chapter 61, Acts of the Second Called Session of the 41st Legislature of the State of Texas, providing the method by which building and loan associations of the State may dissolve the corporation and liquidate the affairs of the association; providing when and how the corporation may dissolve and liquidate its affairs; providing for the duties of the officers and directors of the association after the stockholders vote to liquidate; providing for the status of the association after the Banking Commission of Texas has approved the resolve to dissolve; providing for the liquidation of the affairs of the association and the distribution of its assets; providing for the duties of the Banking Commissioner in connection therewith; and declaring an emergency."

S. B. No. 542, A bill to be entitled "An Act to amend Article 429 of the Penal Code of 1925 of the State of Texas so as to make it an offense to

falsely assume or pretend to be a State Ranger, increasing the punishment, and declaring an emergency."

(With amendments.)

S. B. No. 440, A bill to be entitled "An Act providing that in every case appealed from the Industrial Accident Board to a District or County Court, the clerk of such Court shall, within twenty days after the filing thereof, mail to the Industrial Accident Board a notice of such filing, and shall within twenty days after the judgment is rendered in such suit, mail to the Industrial Accident Board a certified copy thereof; and providing that the attorney preparing judgments in such cases shall file the original and one copy; and providing a penalty for failure to comply with this act."

S. B. No. 548, A bill to be entitled "An Act providing that fees in felony cases payable by the State shall be limited to three cases against the same defendant; repealing conflicting laws, and declaring an emergency."

(With amendments.)

S. B. No. 554, A bill to be entitled "An Act to amend Section 28, Chapter 274, Acts of the Regular Session of the Forty-first Legislature; and declaring an emergency."

S. B. No. 553, A bill to be entitled "An Act prohibiting corporations, associations and societies and the agents, representatives, officers and directors thereof or therefor, from making certain misrepresentations and circulating false literature concerning the value, contents or provisions of certain insurance policies or certificates; prohibiting the making of any misrepresentations or issuance of any statements in regard to the value or contents of any policy of any company or association for the purpose of causing said policy to be forfeited, lapsed or surrendered prohibiting causing or permitting of same to be done by such persons generally; prescribing offenses, fines, penalties and punishment; and declaring an emergency."

The House has refused to concur in Senate Amendments to House Bill No. 748 and requests the appointment of a conference committee to adjust the differences between the two Houses. The following are appointed on the part of the House:

Sanders, Johnson of Dimmit, Brooks, Lee and Boyd.

The House has refused to concur in Senate Amendments to House Bill No. 457 and requests the appoint-

ment of a conference committee to adjust the differences between the two Houses. The following are appointed on the part of the House:

Adams of Jasper, McCombs, Burns of Walker, Gilbert and Young.

The House has passed the following bills and resolutions:

S. B. No. 608, A bill to be entitled "An Act for the conservation, protection, preservation and distribution of the underground water supply of the State; defining powers and duties of the Board of Water Engineers for said purpose, providing for plugging, casing or capping wells to prevent contamination of fresh water supply; prescribing a penalty for violating any provisions of this Act; and declaring an emergency."

(With amendments.)

S. B. No. 609, A bill to be entitled "An Act to amend Article 6066 of the Revised Civil Statutes of 1925; and declaring an emergency."

S. B. No. 562, A bill to be entitled "An Act authorizing the creation of cemetery corporations for profit; permitting such corporations to create and establish funds for perpetual care and maintenance of such cemeteries; exempting such corporations from the provision of Title 26 Revised Civil Statutes, 1925 under certain circumstances and declaring an emergency."

(With amendments.)

S. B. No. 563, A bill to be entitled "An Act amending Article 2832, Revised Statutes of Texas, 1925, and declaring an emergency."

(With amendments.)

S. B. No. 594, A bill to be entitled "An Act amending Article 4006 by adding Article 4006-A, providing further exceptions to Article 4005 providing certain railways and certain other companies may issue passes and extend certain privileges to Indian War veterans; providing generally therefor; and declaring an emergency."

S. B. No. 596, A bill to be entitled "An Act to amend Senate Bill No. 229 as enacted by the Forty-second Legislature at its Regular Session, the purpose of which was to amend Article 722 of Title 22, Chapter 2 of the Revised Civil Statutes of the State of Texas, 1925, providing that the issuance of certain county bonds for the purposes provided in this

Chapter shall be based upon and limited by the taxable values of the County; and declaring an emergency."

S. B. No. 601, A bill to be entitled "An Act to amend Article 546 of Chapter 1, Title 11, 1925 Penal Code of the State of Texas."

The House has granted the request of the Senate for the appointment of a Conference Committee to consider the differences between the two Houses on Senate Bill No. 430. The following are conferees on the part of the House:

Laird, Tarwater, Satterwhite, Harrison of El Paso, Harman.

The House has concurred in Senate amendments to H. B. No. 251 with the exception of the Cement amendment and requests the appointment of a conference committee to adjust the differences between the two Houses on that portion of the bill. The following are appointed on the part of the House:

Holder, Hubbard, DeWolfe, Dwyer, Sanders.

In accordance with the provisions of S. C. R. No. 55, the following are members of the committee on the part of the House:

Pope, Petsch.

The House has concurred in Senate Amendments to H. B. No. 879 by a vote of 105 yeas and 0 nays.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

The House has adopted the Free Conference Committee Report on S. B. No. 430, by a vote of 110 yeas and 1 nay.

The House has adopted the Free Conference Committee Report on S. B. No. 375 by a vote of 106 yeas and 10 nays.

The House has adopted the Free Conference Committee Report on H. B. No. 381 by a vote of 69 yeas and 47 nays.

The House has adopted the Conference Committee report on H. B. No. 150 by a vote of 100 yeas and 7 nays.

Conference Committee Requested.

On motion of Senator Parr, the Senate refused to concur in House amendments to S. B. No. 447 and

asked for the appointment of a Conference Committee.

The Chair appointed the following on the part of the Senate:

Senators Parr, Holbrook, Hopkins, Martin and Parrish.

Motion to Concur.

On motion of Senator Cousins, the Senate concurred in House amendments to S. B. No. 206 by the following vote:

Yeas—30.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

Absent—Excused.

Russek.

H. J. R. No. 25.

The Chair laid before the Senate on its third reading the following bill:

H. J. R. No. 25, Proposing an amendment to the Constitution of the State of Texas by adding to Article IX thereof a new section to be numbered 3, so as to authorize any county having more than 15,000 population to adopt a home rule charter for the establishment and regulation of its government, etc., and declaring an emergency."

Read third time and failed to finally pass by the following vote:

Yeas—20.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Patton.
Cunningham.	Purl.
Gainer.	Rawlings.
Greer.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Woodruff.
Loy.	Woodul.
Martin.	Woodward.

Nays—9.

DeBerry.	Poage.
Hardin.	Pollard.
Hopkins.	Small.
Moore.	Williamson.
Parrish.	

Absent.

Oneal.

Absent—Excused.

Russek.

S. C. R. No. 54.

Senator Woodruff called up from the table:

S. C. R. No. 54, Relating to sine die adjournment.

Senator Berkeley sent up the following amendment:

Amend resolution No. 54 by substituting May 27 for May 29th.

BERKELEY.

The amendment was read.

Senator Pollard sent up the following written point of order:

1. "I raise the point of order that the House and the Senate, on May 12, 1931, passed the sine die adjournment resolution, adjourning the Legislature sine die at 12 M., Friday, May 22nd, which action is final and binding upon the Legislature, and any action taken by the House and/or the Senate after May 22nd is null, void and of no force and effect."

The point of order was not sustained by the Chair.

2. "I raise the further point of order that, inasmuch as the resolution was passed May 12, 1931, in the Senate, the 24 hour rule to move the reconsideration of the vote by which the resolution was passed in the Senate is not available at this time." The point of order was not sustained by the Chair.

3. "I raise the further point of order that, according to the rules of the Senate, a motion must be made to rescind the action of the Legislature, which will require a two-thirds vote."

The point of order was not sustained by the Chair.

Message from the Governor.

The Chair recognized the Doorkeeper, who introduced a messenger

from the Governor with the following message:

Executive Office,
May 21, 1931.

To the Members of the Forty-second Legislature:

For more than four months you have labored industriously and conscientiously, and you are to be commended for your efforts. However, the date set for adjournment is nearly at hand, and many important measures are still on the calendars with little or no prospect of being disposed of in the meantime.

The most urgent problems remaining unsolved are those of appropriations and revenues. Whether other legislation is enacted or not, the State government must go on, and of course the biennial appropriations for its support must be made by September 1, the beginning of the next fiscal year, or else, obviously, great confusion will result. And revenues must be provided to meet the expenditures voted.

You will recall the recent report of the State's financial condition, submitted through the executive by the State Auditor's Department, the Chairman of the State Board of Control, the State Comptroller's Department and the State Budget Director. This report presented estimates of the probable condition of the general revenue fund, as follows:

Net amount available for paying all 1930-1931 appropriations	\$20,234,066.01
Appropriations to be paid from this fund	\$24,222,107.21
Probable additional appropriations to be paid from this fund	560,129.41
	<u>\$24,782,236.62</u>

Estimated deficit on August 31, 1931.....\$ 4,548,170.51

Estimated amount of revenues available for paying all appropriations for the entire forthcoming biennium, after subtracting the above deficit, making other necessary deductions, and adding estimated reve-

nues from the cigarette tax, gas production, etc.	\$43,001,672.68
Estimated total amount of appropriations already made by the present legislature, and expected to be made	<u>50,510,187.72</u>

Estimated deficit to accrue during the biennium ending August 31, 1933.....\$ 7,508,516.04

Estimates of the amounts of general appropriations to be made are based upon the medium between the amounts of the Senate and House appropriation bills as printed. In view of the amounts of these bills as passed, the most liberal calculation of probable Free Conference Committee adjustments leaves no reasonable hope for a remaining indicated deficit of less than \$5,000,000 by the end of the approaching biennium. To dissipate such an enormous discrepancy between income and expenditures by the pruning method would require the veto of so many individual items as would likely disrupt the operation of the institutions and departments. And in the event it should be necessary, in order to bring the appropriations within the revenues, to veto so many items that the divisions of government would be crippled, the executive would feel compelled rather to veto the entire bills; which would necessitate an extraordinary session of the Legislature to reconsider the appropriations.

The only alternative to such a course would be to raise the ad valorem tax rate to its constitutional maximum; and I believe that the homes, farms, ranches and other property of the people of Texas already are overtaxed, and are paying more than their proportionate share of the cost of government, especially considering present economic conditions.

To the economic depression of the past eighteen months is largely due the threatened State deficit. Valuations have diminished, and tax collections have decreased. In addition, the demoralization of the petroleum market has reduced the amount of gross production taxes by

millions. It is hoped that these conditions are temporary, but how long they will continue remains for the future to reveal. For the present they are facts, and must be met as such. To meet them, either the appropriations must be decreased or the revenues increased, or both.

Individual citizens, left no alternative of increasing their income or contracting deficits, are meeting their reduced circumstances by exercising rigid economy, and by postponing expenditures not absolutely essential until a later time when conditions shall improve and such expenditures can be afforded. In this, the people set an example worthy of emulation by their legislative representatives.

Members of your honorable body have introduced numerous measures which will expire on the calendars if you adjourn Friday. Some of those measures are of great importance, and have already undergone considerable work. The only possible way to consider them again before the next Regular Session would be in a Special Session, and then only such subjects as the executive might submit would be available for consideration.

Moreover, an extra assembly would entail all the added time and labor necessary for reorganization, and for re-introduction and re-consideration of bills by committees and on the floor. For these and other obvious reasons, a special session is undesirable.

On the other hand, by means of an extension of the present Regular Session to such degree and in such manner as you might deem proper and advisable, the duplicated and lost efforts incident to a special reconvening would be avoided, and much of the pending business might be saved.

I know you ladies and gentlemen are weary of legislating, and are impatient to return to your homes and your long neglected private affairs. You have toiled longer and more faithfully, with less detraction from duty, than any previous lawmaking assembly of the State's history. You have well justified the high public trust reposed in you; you have served diligently the interests of the people who sent you here, and you have earned the reward of their approbation and confidence.

At the same time, despite your earnest endeavors, the entire program of legislation which you have undertaken is short of completion by several hundred measures; and it would be lamentable should so much constructive work which has been brought to the point of final action by your four months of deliberations be swept into the discard by an untimely adjournment. Such a course seems contrary to the principles of efficiency and accomplishment; it is like building a house all save the roof, and then abandoning the job.

I know that some member has labored on each and every one of the hundreds of bills thus threatened with extinction, and is interested in its passage. Out of consideration for them and for the interests of the legislature as a whole and the people, and because the necessity of a special session otherwise at this time appears quite probable, to deal further with the problem of revenues and expenditures and perhaps other important matters, I commend to your serious consideration the novel question which already has been formally presented, whether it would not be the best course to recess the Regular Session to some day certain within the next few weeks, rather than to adjourn sine die on Friday according to the concurrent resolution already adopted.

This procedure, though unusual, is understood to be permissible under the laws; and it would afford you an opportunity to go home for a period, and then return and finish your labors without having all your bills die on the calendars.

Respectfully submitted,

R. S. STERLING,
Governor.

The message was read.

S. C. R. No. 54.

The question recurred upon S. C. R. No. 54.

Senator Oneal sent up the following amendment to the substitute:

Amend Poage substitute by adding at the end thereof the following:

"Which said date shall not be a date later than the 27th day of July, 1931."

ONEAL.

The amendment was read.

S. C. R. No. 56.

Senator Purl sent up the following resolution:

Whereas, the twenty-four hour joint rule will go into force and effect at 12 o'clock noon today; and

Whereas, it is the desire of the Senate of Texas to further consider bills now pending before it; therefore be it

Resolved by the Senate of Texas, the House concurring, that paragraph 11 of the Joint Rules of the House and Senate be and the same is hereby suspended.

PURL.

Read and adopted by the following vote:

Yeas—30.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

Absent—Excused.

Russek.

Bills Signed.

The Chair, Lieutenant Governor Edgar E. Witt, gave notice of singing, and did sign, in the presence of the Senate, after the captions had been read, the following bills and resolutions:

S. B. No. 453.	S. J. R. No. 28.
S. B. No. 170.	S. C. R. No. 55.
S. B. No. 220.	S. C. R. No. 56.
S. B. No. 341.	H. C. R. No. 66.
S. B. No. 383.	H. C. R. No. 71.
S. B. No. 416.	H. B. No. 836.
S. B. No. 417.	H. B. No. 684.
S. B. No. 428.	H. B. No. 631.
S. B. No. 478.	H. B. No. 472.
S. B. No. 541.	H. B. No. 455.
S. B. No. 542.	H. B. No. 319.
S. B. No. 562.	H. B. No. 316.
S. B. No. 608.	H. B. No. 768.
S. B. No. 563.	H. B. No. 648.

Recess.

On motion of Senator Holbrook, the Senate, at 12:38 o'clock p. m., recessed until 2 o'clock.

After Recess.

The Senate met at 2 o'clock p. m., pursuant to recess, and was called to order by Senator Moore.

At Ease.

On motion of Senator Holbrook, the Senate stood at ease for 10 minutes.

Motions to Concur.

Senator Woodruff moved to concur in the House amendment to S. B. No. 548. The motion prevailed.

On motion of Senator Parr, the Senate concurred in House amendments to S. B. No. 608 by the following vote:

Yeas—31.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.
Oneal.	

On motion of Senator Woodul, the Senate concurred in House amendments to S. B. No. 562 by the following vote:

Yeas—31.

Beck.	Martin.
Berkeley.	Moore.
Cousins.	Neal.
Cunningham.	Oneal.
DeBerry.	Parr.
Gainer.	Parrish.
Greer.	Patton.
Hardin.	Poage.
Holbrook.	Pollard.
Hopkins.	Purl.
Hornsby.	Rawlings.
Loy.	Russek.

Small.
Stevenson.
Thomason.
Williamson.

Woodruff.
Woodul.
Woodward.

On motion of Senator Woodward, the Senate concurred in House amendments to S. B. No. 542 by the following vote:

Yeas—31.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.
Oneal.	

On motion of Senator Woodward, the Senate concurred in House amendments to S. B. No. 541 by the following vote:

Yeas—31.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.
Oneal.	

Senator Purl moved to concur in the House amendments to S. C. R. No. 56. The motion prevailed by the following vote:

Yeas—31.

Beck.	Greer.
Berkeley.	Hardin.
Cousins.	Holbrook.
Cunningham.	Hopkins.
DeBerry.	Hornsby.
Gainer.	Loy.

Martin.
Moore.
Neal.
Oneal.
Parr.
Parrish.
Patton.
Poage.
Pollard.
Purl.

Rawlings.
Russek.
Small.
Stevenson.
Thomason.
Williamson.
Woodruff.
Woodul.
Woodward.

Request to Change Vote.

Senator DeBerry sent up the following written request:

I ask unanimous consent to change my vote from yea to nay on Free Conference Report on H. B. No. 381.
DeBERRY.

Consent was granted.

Change in Committee.

The Chair announced the following committee change:

Senator Russek having resigned from Conference Committee on H. B. No. 185, the Chair appoints Senator Parr on that committee.

Messages From the House.

Hall of the House of Representatives,
Austin, Texas, May 21, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolution:
S. C. R. No. 56, Suspending the 24 hour joint rule of the House and Senate.

(With amendment.)

The House has granted the request of the Senate for the appointment of a Conference Committee to consider the differences between the two Houses on Senate Bill No. 447. The following are conferees on the part of the House:

West of Cameron, Petsch, Lemens, Pope, and Dunlap.

The House has concurred in Senate amendments to H. C. R. No. 54 by a viva voce vote.

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

S. C. R. No. 54.

The question recurred upon the amendment to the substitute for S. C. R. No. 54. The amendment was lost.

Senator Pollard moved to table

the substitute. The motion was lost by the following vote:

Yeas—13.

Berkeley.	Moore.
Cunningham.	Oneal.
DeBerry.	Pollard.
Hardin.	Small.
Hopkins.	Thomason.
Loy.	Woodruff.
Martin.	

Nays—14.

Beck.	Parrish.
Cousins.	Patton.
Greer.	Poage.
Holbrook.	Purl.
Hornsby.	Stevenson.
Neal.	Williamson.
Parr.	Woodward.

Absent.

Gainer.	Rawlings.
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(Pair Recorded.)

Senator Woodul (present) who would vote nay, with Senator Russek (absent) who would vote yea.

The substitute was adopted by the following vote:

Yeas—17.

Beck.	Patton.
Cousins.	Poage.
Gainer.	Purl.
Greer.	Rawlings.
Holbrook.	Stevenson.
Hornsby.	Thomason.
Neal.	Williamson.
Parr.	Woodward.
Parrish.	

Nays—12.

Berkeley.	Martin.
Cunningham.	Moore.
DeBerry.	Oneal.
Hardin.	Pollard.
Hopkins.	Small.
Loy.	Woodruff.

(Pair Recorded.)

Senator Woodul (present) who would vote yea, with Senator Russek (absent) who would vote nay.

The resolution as substituted was adopted.

Conference Committees Appointed.

The Chair announced the appointment of the following Conference Committees:

Senate Conference Committee on H. B. No. 457:

Senators Purl, Thomason, Martin, Cunningham and Cousins.

Senate Conference Committee on H. B. No. 251:

Senators Small, Loy, Hopkins, Purl and Moore.

Motion to Instruct Committee.

Senator Moore sent up the following written motion:

We move that the Senate Conference on H. B. No. 251 be, and they are hereby instructed, to retain the provisions of the Peddlers License and Cigarette Dealers Tax as passed by the Senate; that the Committee retain the Sulphur Tax at not less than 75 cent per long ton; and that the Committee also be instructed to retain a Cement Tax in said bill.

MOORE,
BERKELEY,
PARRISH,
HARDIN.

The motion was read.

Senator Stevenson raised the point of order that conferees could not be instructed after they had been appointed.

The Chair, Lieutenant Governor Edgar E. Witt, overruled the point of order on the ground that the motion was made as nearly simultaneously with the appointment of the conferees as possible.

Senator Purl asked unanimous consent to amend the motion by adding the word "reasonable".

Senator Hopkins objected.

The motion prevailed.

Motion to Concur.

Senator Loy moved to concur in House amendments to S. B. No. 563. The motion prevailed.

Conference Committee Report.

Senator Berkeley sent up the following Conference Committee report:

Committee Room,

Austin, Texas, May 21, 1931.

Hon. Edgar E. Witt, President of the Senate,

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sirs: We, your Conference Committee on Senate Bill No. 430, have

had the same under consideration, and have adjusted the differences between the House and the Senate and recommend the passage of the Senate bill with the following amendments:

Amend the bill in Section 1, immediately after the words "all bonds issued and now outstanding" by inserting immediately thereafter the words "And all bonds heretofore voted but not yet issued."

Amend S. B. 430, Page 2, by adding at the end of Section 1 the following:

Provided further that this act shall not apply to any District which may have been established or consolidated and which has later returned to its original status and has been so recognized by the proper authorities,

and amend the caption to conform to all changes in the body of the bill.

BERKELEY,
RAWLINGS,
NEAL,
HOLBROOK,
COUSINS,

On the part of the Senate,

LAIRD,
SATTERWHITE,
HARMAN,
TARWATER,
HARRISON,

On the part of the House.

Read and adopted by the following vote:

Yeas—30.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

Absent—Excused.

Russek.

House Bill No. 575.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 575, A bill to be entitled "An Act to require the officials of all counties, cities and towns, school districts and all other local units of government within the State, where taxes are levied and collected, to make such reports as may be required by the county auditor, if there be a county auditor, and if not then to the county clerk, showing the amount of taxes collected, etc., and declaring an emergency."

The bill was read second time and passed to third reading.

On motion of Senator Moore, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 575 was put on its third reading and final passage, by the following vote:

Yeas—30.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

Absent—Excused.

Russek.

Read third time and finally passed.

House Bill No. 520.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 520, A bill to be entitled "An Act providing for the making of daily reports of the use of State-owned automobiles and trucks; prescribing rules and regulations and defining certain offenses, and declaring an emergency."

The bill was read second time and passed to third reading.

On motion of Senator Moore, the constitutional rule requiring bills to

be read on three several days was suspended and H. B. No. 520 was put on its third reading and final passage, by the following vote:

Yeas—30.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

Absent—Excused.

Russek.

Read third time and finally passed.

House Bill No. 493.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Stevenson:
 "An Act to amend Articles 4371, 4372, 4380, 4382, 4385, 4390, 4391, 4392 and 4393, and also Article 4388 as amended by Chapter 73, page 230, of the General Laws of the Fifth Called Session of the Forty-first Legislature, and to repeal Article 4387, all of said articles being from Chapter 3 of Title 70, Revised Civil Statutes of 1925, relating to the Department of State Treasurer, and declaring an emergency."

The bill was read second time and passed to second reading.

On motion of Senator Moore the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 493 was put on its third reading and final passage, by the following vote:

Yeas—30.

Beck.	Hardin.
Berkeley.	Holbrook.
Cousins.	Hopkins.
Cunningham.	Hornsby.
DeBerry.	Loy.
Gainer.	Martin.
Greer.	Moore.

Neal.	Rawlings.
Oneal.	Small.
Parr.	Stevenson.
Parrish.	Thomason.
Patton.	Williamson.
Poage.	Woodruff.
Pollard.	Woodul.
Purl.	Woodward.

Absent—Excused.

Russek.

Read third time and finally passed.

House Bill No. 495.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Stevenson:

H. B. No. 495, A bill to be entitled "An Act to amend Articles 4350, 4353, 4354, 4355, 4357, 4358, 4359, 4363, and 4364, Chapter 2, of Title 70, Revised Civil Statutes of 1925, relating to system and methods of the Department of the Comptroller of Public Accounts, and declaring an emergency."

The bill was read second time and passed to third reading.

On motion of Senator Moore the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 495 was put on its third reading and final passage, by the following vote:

Yeas—30.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

Absent—Excused.

Russek.

Read third time and finally passed.

House Bill No. 588.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Stevenson:

H. B. No. 588, A bill to be entitled "An Act to provide for the investment of the permanent funds of the Texas School for the Blind, Texas, School for the Deaf, Austin State Hospital, State Orphans Home and other permanent funds the investment of which is not otherwise provided for, and declaring an emergency."

The bill was read second time and passed to third reading.

On motion of Senator Moore the constitutional rule requiring bills to be read on three several days was suspended and H. B. 588 was put on its third reading and final passage, by the following vote:

Yeas—30.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

Absent—Excused.

Russek.

Read third time and finally passed.

House Bill No. 519.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Stevenson:

H. B. No. 519, A bill to be entitled "An Act to amend Article 821 of the Penal Code of the State of Texas of 1925, and declaring an emergency."

The bill was read second time and passed to third reading.

On motion of Senator Moore the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 519 was put on its third reading and final passage, by the following vote:

Yeas—30.

Beck.	Cousins.
Berkeley.	Cunningham.

DeBerry.
Gainer.
Greer.
Hardin.
Holbrook.
Hopkins.
Hornsby.
Loy.
Martin.
Moore.
Neal.
Oneal.
Parr.

Parrish.
Patton.
Poage.
Pollard.
Purl.
Rawlings.
Small.
Stevenson.
Thomason.
Williamson.
Woodruff.
Woodul.
Woodward.

Absent—Excused.

Russek.

Read third time and finally passed.

House Bill No. 518.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Stevenson:

H. B. No. 518, A bill to be entitled "An Act to amend Article 6823 of the Revised Civil Statutes of Texas, 1925, and declaring an emergency."

The bill was read second time and passed to third reading.

On motion of Senator Moore the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 518 was put on its third reading and final passage, by the following vote:

Yeas—30.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

Absent—Excused.

Russek.

Read third time and finally passed.

House Bill No. 1054.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 1054, A bill to be entitled "An Act to amend Chapter 18, Title 49, by adding a new article to be known as Article 2892a, providing for the compulsory school attendance for the school term of children between the ages of seven and fifteen, inclusive, in counties of a population of not less than 325,000 and not more than 326,000 population, according to the preceding Federal census."

The bill was read second time and passed to third reading.

On motion of Senator Purl the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 1054 was put on its third reading and final passage, by the following vote:

Yeas—30.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

Absent—Excused.

Russek.

Read third time and finally passed by the following vote:

Yeas—30.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

Absent—Excused.

Russek.

53—Jour.

House Bill No. 799.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 799, A bill to be entitled "An Act to amend Section 2 of Chapter 141, page 210, of the General and Special Laws of the Regular Session of the Fortieth Legislature, and declaring an emergency."

The bill was read second time and passed to third reading.

On motion of Senator DeBerry, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 799 was put on its third reading and final passage, by the following vote:

Yeas—30.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

Absent—Excused.

Russek.

Read third time and finally passed

House Bill No. 514.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Stevenson and Mr. Sparkman:

H. B. No. 514, A bill to be entitled "An Act to amend Article 7068 of the Revised Civil Statutes of 1925, and declaring an emergency."

The bill was read second time and passed to third reading.

On motion of Senator Hornsby, the constitutional rule requiring bill to be read on three several days was suspended and H. B. No. 514 was put on its third reading and final passage, by the following vote:

Yeas—30.

Beck.	DeBerry.
Berkeley.	Gainer.
Cousins.	Greer.
Cunningham.	Hardin.

Holbrook.	Poage.
Hopkins.	Pollard.
Hornsby.	Purl.
Loy.	Rawlings.
Martin.	Small.
Moore.	Stevenson.
Neal.	Thomason.
Oneal.	Williamson.
Parr.	Woodruff.
Parrish.	Woodul.
Patton.	Woodward.

Absent—Excused.

Russek.

Read third time and finally passed by the following vote:

Yeas—30.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

Absent—Excused.

Russek.

House Bill No. 985.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 985, A bill to be entitled "An Act providing for a rural school supervisor in certain counties in lieu of teachers' institutes; prescribing the duties of said supervisor; providing for visits to schools of the county and work in cooperation with teachers; prescribing the salary of said supervisor and how it shall be paid; providing other things incidental to said purpose, and declaring an emergency."

The bill was read second time and passed to third reading.

On motion of Senator Beck, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 985 was put on its third reading and final passage, by the following vote:

Yeas—30.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

Absent—Excused.

Russek.

Read third time and finally passed.

House Bill No. 347.

The Chair laid before the Senate on its second reading the following bill:

By Mrs. Hughes and Mr. Harrison of El Paso:

H. B. No. 347, A bill to be entitled "An Act to repeal Article 2450 of the Revised Civil Statutes of Texas, 1925, and declaring an emergency."

The bill was read second time and passed to third reading.

On motion of Senator Moore, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 347 was put on its third reading and final passage, by the following vote:

Yeas—30.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

Absent—Excused.

Russek.

Read third time and finally passed.

Senate Bill No. 169.

The Chair laid before the Senate on its second reading the following bill:

S. B. No. 169, A bill to be entitled "An Act providing for the appointment by the Fire Insurance Commissioner of an Electrical Inspector and declaring an emergency."

The committee report and amendments were adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Woodul, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 169 was put on its third reading and final passage, by the following vote:

Yeas—27.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.
Oneal.	

Nays—3.

DeBerry.	Rawlings.
Holbrook.	

Absent—Excused.

Russek.

Read third time and finally passed.

House Bill No. 1037.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 1037, A bill to be entitled "An Act to create, validate and approve the Dallas County Preston Road Fresh Water Supply District No. 10, in Dallas county, Texas, to declare it to be a legally constituted governmental agency and body politic and corporate, and its formation to be a benefit to all property within its bounds, and that its bounds were legally designated, and adding to its powers, etc., and declaring an emergency."

The bill was read second time and passed to third reading.

On motion of Senator Purl, the con-

stitutional rule requiring bills to be read on three several days was suspended and H. B. No. 1037 was put on its third reading and final passage, by the following vote:

Yeas—30.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

Absent—Excused.

Russek.

Read third time and finally passed by the following vote:

Yeas—30.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

Absent—Excused.

Russek.

House Bill No. 427.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Morse, Mr. Patterson and Mr. Martin et al.:

H. B. No. 427, A bill to be entitled "An Act providing that all officers and employes of the State of Texas, any county, or political subdivision thereof, including municipalities, who are members of the National Guard, National Guard Reserve, or Organized Reserves of the Army or Navy of the

United States, shall be entitled to leave of absence without loss of pay or efficiency rating during such days as they may attend training ordered or authorized under provisions of law, and declaring an emergency."

The committee amendments were adopted.

The bill was read second time and passed to third reading.

On motion of Senator Rawlings constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 427 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

Absent—Excused.

Russek.

Read third time and finally passed.

House Bill No. 959.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 959, A bill to be entitled "An Act amending Article 5059, Revised Statutes of Texas, 1925, and declaring an emergency."

The bill was read second time and passed to third reading.

On motion of Senator Berkeley the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 959 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Greer.
Berkeley.	Hardin.
Cousins.	Holbrook.
Cunningham.	Hopkins.
Gainer.	Hornsby.

Loy.
Martin.
Moore.
Neal.
Oneal.
Parr.
Parrish.
Patton.
Poage.
Pollard.

Purl.
Rawlings.
Small.
Stevenson.
Thomason.
Williamson.
Woodruff.
Woodul.
Woodward.

Nays—1.

DeBerry.

Absent—Excused.

Russek.

Read third time and finally passed.

House Bill No. 1042.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 1042, A bill to be entitled "An Act validating the conversion of all navigation districts converted from navigation districts under the provisions of Section 52 of Article III of the Constitution of the State of Texas into navigation districts under the provisions of Section 59, of Article XVI, of the State Constitution, since the taking effect of Chapter 103, Acts of the Forty-first Legislature, First Called Session, 1929, under the provisions of Section 1 of said Act, ratifying, approving, confirming and validating all provisions with reference to said conversion, and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to third reading.

On motion of Senator Parr the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 1042 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Loy.
Berkeley.	Martin.
Cousins.	Moore.
Cunningham.	Neal.
DeBerry.	Oneal.
Gainer.	Parr.
Greer.	Parrish.
Hardin.	Patton.
Holbrook.	Poage.
Hopkins.	Pollard.
Hornsby.	Purl.

Rawlings.	Williamson.
Small.	Woodruff.
Stevenson.	Woodul.
Thomason.	Woodward.

Absent—Excused.

Russek.

Read third time and finally passed by the following vote:

Yeas—30.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

Absent—Excused.

Russek.

House Bill No. 116.

The Chair laid before the Senate on its second reading the following bill:

By Mr. McCombs:

H. B. No. 116, A bill to be entitled "An Act to amend Article 3690, of Chapter 29, Title 54, of the Revised Civil Statutes of 1925, so as to provide that no commissions shall be allowed or received for receiving any cash which was on hand at the time of the death of the testator or intestate, nor for paying out money to the heirs or legatees as such, except upon the equity of mortgaged property in case any of the property of such testator or intestate was mortgaged at the time of his or her death; etc., and declaring an emergency."

Read second time.

Senator Holbrook sent up the following amendment:

Amend H. B. No. 116 by adding to section one thereof the following:

Provided however that if the administrator or executor shows to the court that the value of the services rendered the estate in making a sale

of property securing a debt exceeds the amount of the commission calculated as above provided, then the court shall allow a commission for a just amount; the amount not to exceed the amount now allowed by law.

HOLBROOK.

Read and adopted.

The bill was passed to third reading.

On motion of Senator Holbrook the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 116 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

Absent—Excused.

Russek.

Read third time and finally passed.

House Bill No. 1033.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 1033, A bill to be entitled "An Act amending Article 1107, Revised Statutes of Texas, 1925, by adding thereto a new paragraph so as to authorize incorporated cities or towns to exercise the right of eminent domain to condemn private property for airport purposes, and declaring an emergency."

The bill was read second time and passed to third reading.

On motion of Senator Hornsby the constitutional rule requiring all bills to be read on three several days was suspended and H. B. No. 1033 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.
Oneal.	

Nays—1.

DeBerry.

Absent—Excused.

Russek.

Read third time and finally passed
by the following vote:

Yeas—29.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.
Oneal.	

Nays—1.

DeBerry.

Absent—Excused.

Russek.

House Bill No. 1059.

The Chair laid before the Senate
on its second reading the following
bill:

H. B. No. 1059, A bill to be entitled
"An Act to authorize the commis-
sioners' court in each county having
a population of not less than 13,975
and not more than 14,050 as shown
be the preceding United State cen-
sus, to pay the sheriff of such county
for summoning jurors in district or
county courts, serving all legal
notices and doing all other public

business for which compensation is
not provided for, not exceeding
\$2500 per annum, to be fixed by the
commissioners' court in such county
out of the general fund of the
county, and further authorizing the
commissioners' court in such coun-
ties, upon written sworn appli-
cation of the sheriff, stating the
necessity therefor, to purchase an
automobile for the use of the sheriff
and pay for same together with the
expense of the maintenance and
operation of same out of the county
general fund, and declaring an emer-
gency."

The bill was read second time and
passed to third reading.

On motion of Senator Berkeley
the constitutional rule requiring bills
to be read on three several days was
suspended and H. B. No. 1059 was
put on its third reading and final
passage by the following vote:

Yeas—29.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.
Oneal.	

Nays—1.

DeBerry.

Absent—Excused.

Russek.

Read third time and finally passed
by the following vote:

Yeas—29.

Beck.	Moore.
Berkeley.	Neal.
Cousins.	Oneal.
Cunningham.	Parr.
Gainer.	Parrish.
Greer.	Patton.
Hardin.	Poage.
Holbrook.	Pollard.
Hopkins.	Purl.
Hornsby.	Rawlings.
Loy.	Small.
Martin.	Stevenson.

Thomason. Woodul.
Williamson. Woodward.
Woodruff.

Nays—1.

DeBerry.

Absent—Excused.

Russek.

Conference Committee Report.

Senator Hardin sent up the following Conference Committee report:

Committee Room,
Austin, Texas, May 21, 1931.

Hon. Edgar E. Witt, President of the Senate.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Gentlemen: We, your Conference Committee on Senate Bill No. 375, have had the same under consideration and have adjusted the differences between the House and Senate, and recommend the passage of Senate bill with House Committee Amendments Nos. 1, 2 and 3, also House Amendments Nos. 1, 2 and 3, but the House Amendment No. 4 be stricken from the bill and that in lieu thereof, the following be substituted:

Amend Senate Bill No. 375, line 14, page 2 of the bill as printed in the House, by adding after the word "appointment," the following:

"whose salary shall not exceed \$3,600.00, and shall not be allowed more than two assistants at a salary not to exceed \$2,400.00 each for any one year."

Respectfully submitted,

HARDIN,
NEAL,
GREER,
THOMASON,
CUNNINGHAM,

On the part of the Senate.

BRADLEY,
HOWSLEY,
BURNS,
ADAMS of Jasper,
COOMBES,

On the part of the House.

Read and adopted by the following vote:

Yeas—30.

Beck. Cunningham.
Berkeley. DeBerry.
Cousins. Gainer.

Greer. Patton.
Hardin. Poage.
Holbrook. Pollard.
Hopkins. Purl.
Hornsby. Rawlings.
Loy. Small.
Martin. Stevenson.
Moore. Thomason.
Neal. Williamson.
Oneal. Woodruff.
Parr. Woodul.
Parrish. Woodward.

Absent—Excused.

Russek.

House Bill No. 1057.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 1057, A bill to be entitled "An Act amending Article 7005, Chapter 7, Title 121, Revised Civil Statutes of Texas, 1925, as amended by Section 1, Chapter 105, General and Special Laws of the State of Texas, as passed by the Regular Session of the Fortieth Legislature of Texas, so as to place Cameron County under the provisions of said Chapter 7, Title 121."

The bill was read second time and passed to third reading.

On motion of Senator Holbrook, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 1057 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck. Oneal.
Berkeley. Parr.
Cousins. Parrish.
Cunningham. Patton.
DeBerry. Poage.
Gainer. Pollard.
Greer. Purl.
Hardin. Rawlings.
Holbrook. Small.
Hopkins. Stevenson.
Hornsby. Thomason.
Loy. Williamson.
Martin. Woodruff.
Moore. Woodul.
Neal. Woodward.

Absent—Excused.

Russek.

Read third time and finally passed by the following vote:

Yeas—30.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

Absent—Excused.

Russek.

House Bill No. 502.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Burns of Walker:

H. B. No. 502, A bill to be entitled "An Act to amend Article 26, Chapter 2, Title 1, the Code of Criminal Procedure, State of Texas, 1925, relating to the duties of county attorneys in certain counties; fixing their compensation, and declaring an emergency."

The bill was read second time and passed to third reading.

On motion of Senator Pollard, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 502 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

Absent—Excused.

Russek.

Read third time and finally passed.

House Bill No. 500.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Leonard and Mr. West of Cameron:

H. B. No. 500, A bill to be entitled "An Act to amend Chapter 288, General Laws of the Regular Session of the Forty-first Legislature of 1929, being an act declaring unlawful the sale, or offering for sale, transportation, preparation, receiving or delivery for transportation or marketing of citrus fruit that is immature, unripe, overripe, frost damaged or otherwise unfit for consumption and the sale thereof declared to be a fraud upon the public, etc."

The committee report was adopted.

The bill was read second time and passed to third reading.

On motion of Senator Martin, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 500 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Small.
Hopkins.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Nays—2.

DeBerry.	Hornsby.
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Absent—Excused.

Russek.

Read third time and finally passed by the following vote:

Yeas—22.

Beck.	Hardin.
Cousins.	Holbrook.
Gainer.	Hopkins.
Greer.	Loy.

Martin.	Purl.
Moore.	Rawlings.
Neal.	Small.
Parr.	Stevenson.
Parrish.	Thomason.
Patton.	Williamson.
Pollard.	Woodul.

Nays—6.

Berkeley.	Poage.
DeBerry.	Woodruff.
Hornsby.	Woodward.

Absent.

Cunningham. Oneal.

Absent—Excused.

Russek.

House Bill No. 328.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Sanders:

H. B. No. 328, A bill to be entitled "An Act providing for a limit on the number of fresh water bass, crappie or white perch, bream and goggle-eyed perch, or the aggregate of such fish that may be taken or possessed during any one day, and providing the number of such fish or the aggregate of such fish that may be possessed at any time, prescribing penalties, and declaring an emergency."

Read second time.

On motion of Senator Thomason, the bill was laid on the table subject to call.

House Bill No. 823.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Grogan:

H. B. No. 823, A bill to be entitled "An Act fixing the salary of the members of the commissioners' courts in counties having a population of less than 19,850, according to the last available Federal census and in which counties there have been voted road bonds in a sum exceeding two million dollars; providing the method of payment, and declaring an emergency."

The committee report and amendment were adopted.

The bill was read second time and passed to third reading.

On motion of Senator Cousins, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 823 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

Present—Not Voting.

DeBerry.

Absent.

Oneal.

Absent—Excused.

Russek.

Read third time and finally passed.

House Bill No. 898.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 898, A bill to be entitled "An Act prohibiting the hunting, taking or shooting of any wild deer in Coryell or Hamilton Counties for five years, and fixing a penalty."

The bill was read second time and passed to third reading.

On motion of Senator Hardin, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 898 was put on its third reading and final passage by the following vote:

Yeas—30

Beck.	Hopkins.
Berkeley.	Hornsby.
Cousins.	Loy.
Cunningham.	Martin.
DeBerry.	Moore.
Gainer.	Neal.
Greer.	Oneal.
Hardin.	Parr.
Holbrook.	Parrish.

Patton.	Stevenson.
Poage.	Thomason.
Pollard.	Williamson.
Purl.	Woodruff.
Rawlings.	Woodul.
Small.	Woodward.

Absent—Excused.

Russek.

Read third time and finally passed.

House Bill No. 328.

Senator Thomason called up H. B. No. 328.

Senator DeBerry sent up the following amendment:

Amend H. B. No. 328 by exempting the following counties: Red River, Lamar, Delta, Franklin, Hopkins and Coleman from the provisions of this Act, and exempting counties of 12th, 17th, 26th, 24th, 30th, 27th Senatorial Districts.

And amend caption to conform.

DeBERRY.

Read and adopted.

The bill was passed to third reading.

On motion of Senator Thomason, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 328 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

Absent—Excused.

Russek.

Read third time and finally passed by the following vote:

Yeas—24.

Berkeley.	Cunningham.
Cousins.	DeBerry.

Greer.	Pollard.
Holbrook.	Purl.
Hornsby.	Rawlings.
Martin.	Small.
Moore.	Stevenson.
Neal.	Thomason.
Parr.	Williamson.
Parrish.	Woodruff.
Patton.	Woodul.
Poage.	Woodward.

Absent.

Beck.	Hopkins.
Gainer.	Loy.
Hardin.	Oneal.

Absent—Excused.

Russek.

House Bill No. 994.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 994, A bill to be entitled "An Act authorizing the Governor to negotiate a compact with the State of New Mexico for the purpose of cooperating with the State of New Mexico to permit school districts of incorporated towns, or union high school districts in Texas adjoining the Texas-New Mexico State line, to combine with school districts, incorporated towns and other educational subdivisions of the State of New Mexico adjoining the Texas-New Mexico State line to promote educational facilities and to permit cooperative measures to be adopted for the financing of school buildings and teachers' staffs for the same; authorizing the Governor of Texas to appoint a commissioner therefor, and providing an appropriation to defray his expenses, and declaring an emergency."

The bill was read second time and passed to third reading.

On motion of Senator Parrish, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 994 was put on its third reading and final passage, by the following vote:

Yeas—30.

Beck.	Holbrook.
Berkeley.	Hopkins.
Cousins.	Hornsby.
Cunningham.	Loy.
DeBerry.	Martin.
Gainer.	Moore.
Greer.	Neal.
Hardin.	Oneal.

Parr.	Small.
Parrish.	Stevenson.
Patton.	Thomason.
Poage.	Williamson.
Pollard.	Woodruff.
Purl.	Woodul.
Rawlings.	Woodward.

Absent—Excused.

Russek.

Read third time and finally passed.

House Bill No. 377.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Bond:

H. B. No. 377, A bill to be entitled "An Act amending Article 2451, 1925 Civil Statutes, so as to provide that judgments will not become dormant where execution has issued on such judgments within ten years after a judgment was rendered, and declaring an emergency."

Read second time and passed to third reading by the following vote:

Yeas—12.

Berkeley.	Poage.
Greer.	Pollard.
Hornsby.	Thomason.
Parr.	Woodruff.
Parrish.	Woodul.
Patton.	Woodward.

Nays—6.

Cunningham.	Holbrook.
DeBerry.	Martin.
Gainer.	Oneal.

Present—Not Voting.

Cousins.	Williamson.
Stevenson.	

Absent.

Beck.	Neal.
Hardin.	Purl.
Hopkins.	Rawlings.
Loy.	Small.
Moore.	

Absent—Excused.

Russek.

House Bill No. 997.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 997, A bill to be entitled

"An Act abolishing the office of district attorney in the Seventy-seventh Judicial District of Texas; fixing the duties of county attorneys of said district; fixing their compensation; repealing conflicting laws; fixing effective date of the act; and declaring an emergency."

The bill was read second time and passed to third reading.

On motion of Senator Poage, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 997 was put on its third reading and final passage, by the following vote:

Yeas—30.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

Absent—Excused.

Russek.

Read third time and finally passed.

House Bill No. 119.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Savage and Mr. Davis:

H. B. No. 119, A bill to be entitled "An Act to amend Article 4200 of Chapter 8, Title 69, of the Revised Civil Statutes of 1925, relating to terms of sale of real estate made by guardians, so as to provide that a sale may be made of the equity in land securing an indebtedness; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The bill was read second time and passed to third reading.

On motion of Senator Woodruff, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 119 was put on its third reading and final passage, by the following vote:

Yeas—30.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

Absent—Excused.

Russek.

Read third time and finally passed.

House Bill No. 1017.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 1017, A bill to be entitled "An Act amending Chapter 44, Acts Regular Session, Forty-first Legislature, and declaring an emergency."

The bill was read second time and passed to third reading.

On motion of Senator Cunningham, the constitutional rule requiring bill to be read on three several days was suspended and H. B. No. 1017 was put on its third reading and final passage, by the following vote:

Yeas—30.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

Absent—Excused.

Russek.

Read third time and finally passed.

House Bill No. 850.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 850, A bill to be entitled "An Act permitting and authorizing constables in each justice precinct named and described to appoint deputy constables subject to the approval and confirmation of the commissioners court and providing that the constables desiring to have a deputy or deputies appointed shall submit written application to the commissioners court showing the necessity for having such deputy or deputies appointed to handle the business originating in the precinct in which the constable was elected, etc., and declaring an emergency."

The committee amendments were adopted.

The bill was read second time and passed to third reading.

On motion of Senator Williamson the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 850 was put on its third reading and final passage, by the following vote:

Yeas— 30.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

Absent—Excused.

Russek.

Read third time and finally passed by the following vote:

Yeas— 30.

Beck.	Martin.
Berkeley.	Moore.
Cousins.	Neal.
Cunningham.	Oneal.
DeBerry.	Parr.
Gainer.	Parrish.
Greer.	Patton.
Hardin.	Poage.
Holbrook.	Pollard.
Hopkins.	Purl.
Hornsby.	Rawlings.
Loy.	Small.

Stevenson. Woodruff.
Thomason. Woodul.
Williamson. Woodward.

Absent—Excused.

Russek.

House Bill No. 1007.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 1007, A bill to be entitled "An Act regulating the taking of fish in El Paso County; prescribing a penalty, and declaring an emergency."

The committee report was adopted.

Read second time.

Senator Woodward sent up the following amendments:

Amend House Bill No. 1007 by adding new sections to be known as Section 1a and Section 1b to be inserted between Sections 1 and 2 of the bill, to read as follows:

"Sec. 1a: It shall be unlawful for any person in Kimble County, Texas, to catch or have in his possession in any one day more than ten (10) fish of any one kind or variety except perch; and it shall be unlawful to catch or have in possession more than twenty (20) perch in any one day; and it shall be unlawful to catch or have in possession more than sixty (60) perch in any one week; and it shall be unlawful to catch or have in possession more than thirty (30) of any one variety of all other varieties of fish in any one week.

Sec. 1b: Any person violating Section 1a of this act shall be guilty of a misdemeanor and upon conviction shall be fined in any sum not less than Ten (\$10.00) Dollars, nor more than One Hundred Dollars."

WOODWARD.

Read and adopted.

Amend House Bill No. 1007 as follows: by adding after the words "El Paso County" in Section 2, the words "and Kimble County;" and amending the emergency clause by adding after the words "El Paso County" in line 2 of Section 3, the words "And Kimble County."

WOODWARD.

Read and adopted.

The bill was passed to third reading.

On motion of Senator Woodward, the constitutional rule requiring

bills to be read on three several days was suspended and H. B. No. 1007 was put on its third reading and final passage, by the following vote:

Yeas—30.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

Absent.

Russek.

Read third time and finally passed by the following vote:

Yeas—30.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

Absent.

Russek.

Motion to Concur.

On motion of Senator Woodward, the Senate concurred in House amendments to S. B. No. 627 by the following vote:

Yeas—30.

Beck.	Hardin.
Berkeley.	Holbrook.
Cousins.	Hopkins.
Cunningham.	Hornsby.
DeBerry.	Loy.
Gainer.	Martin.
Greer.	Moore.

Neal.	Rawlings.
Oneal.	Small.
Parr.	Stevenson.
Parrish.	Thomason.
Patton.	Williamson.
Poage.	Woodruff.
Pollard.	Woodul.
Purl.	Woodward.

Absent.

Russek.

House Bill No. 803.

The Chair laid before the Senate as pending business the following bill:

H. B. No. 803, A bill to be entitled "An Act directing the Treasurer of the State of Texas to pay to Henry W. Baylor, William F. Hardeman, George W. Baylor, Charles W. McFaddin, Oscar D. Baker, George S. Stockley, Sidney J. Baylor, Leon Heard, Wyatt Heard, James Whitecotton, Mrs. Mittie A. Smith, Mrs. Alexander Wilkerson, Mrs. John H. Afflek and Mrs. Sarah Cunningham, each the sum of \$360; said persons being members. or the surviving wives of deceased members of the Montel Guards, officially designated as Company "G," First Texas Cavalry, etc., and declaring an emergency."

On the motion to reconsider the roll call showed a quorum lacking.

Consent to Change Vote.

Senator Loy received unanimous consent to have his vote on S. J. R. No. 17 to show yea instead of nay, page 1368 Senate Journal, May 5th, 1931.

Adjournment.

On motion of Senator Moore, the Senate, at 6:03 o'clock p. m., adjourned until 9:30 o'clock tomorrow morning.

APPENDIX.

Petitions and Memorials.

Austin, Texas, May 20, 1931.
Hon. Edgar E. Witt, State Senate,
Austin, Texas.

Dear Governor Witt: Please convey to the Senate our sincere appreciation for the honor conferred

upon our Mother by the adoption of the resolution of respect on last Friday. No doubt the majority of the Senators have had a like experience, and for that reason, can truly sympathize with us in this hour of great sorrow. Our Mother lived a life of self-sacrifice from the time, as a girl-bride, our Father followed the Stars and Bars, on through more than three score years and ten, always performing deeds of love and kindness for every one with whom she came in contact. "Her children rise up and call her blessed."

Very sincerely,
MR. AND MRS. S. M. N. MARRS,
For the Marrs Family.

Committee on Enrolled Bills.

Committee Room,
Austin, Texas, May 21, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 478 carefully examined and compared and same correctly enrolled.

GREER, Chairman.

Committee Room,
Austin, Texas, May 21, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 541 carefully examined and compared find same correctly enrolled.

GREER, Chairman.

Committee Room,
Austin, Texas, May 21, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 542 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,
Austin, Texas, May 21, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 562 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,
Austin, Texas, May 21, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on En-

rolled Bills, have had S. B. No. 608 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,
Austin, Texas, May 21, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 563 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,
Austin, Texas, May 21, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. C. R. No. 56 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,
Austin, Texas, May 21, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 206 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,
Austin, Texas, May 21, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 279 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,
Austin, Texas, May 21, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 378 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,
Austin, Texas, May 21, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 420 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,
Austin, Texas, May 21, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 440 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,
Austin, Texas, May 21, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 456 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,
Austin, Texas, May 21, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 484 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Report.
Austin, Texas, May 21, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 499 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,
Austin, Texas, May 21, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 531 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,
Austin, Texas, May 21, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 548 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,
Austin, Texas, May 21, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 553

carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,
Austin, Texas, May 21, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 554 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,
Austin, Texas, May 21, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 594 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,
Austin, Texas, May 21, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 596 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,
Austin, Texas, April 21, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 601 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,
Austin, Texas, May 21, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 609 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,
Austin, Texas, May 20, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. J. R. No. 28 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,
Austin, Texas, May 20, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. C. R. No. 55 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,
Austin, Texas, May 19, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 170 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,
Austin, Texas, May 20, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 220 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,
Austin, Texas, May 20, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 341 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,
Austin, Texas, May 20, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 383 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,
Austin, Texas, May 20, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 416 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,
Austin, Texas, May 20, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on En-

rolled Bills, have had S. B. No. 417 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,

Austin, Texas, May 20, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 428 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,

Austin, Texas, May 20, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 453 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee on Engrossed Bills.

Committee Room,

Austin, Texas, May 21, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had S. J. R. No. 31 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Reports.

Committee Room,

Austin, Texas, May 21, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 10, A bill to be entitled "An Act amending Article 3891 as amended by House Bill No. 9, Chapter 20, of the 4th Called Session of the 41st Legislature; etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with committee amendments and be not printed in lieu of advance printing.

MOORE, Chairman.

Amendment No. 1.

Amend House Bill No. 10 by striking out the words and figures "Ten Thousand (\$10,000.00) Dollars", wherever they appear in the bill and insert in

lieu thereof the words and figures "Twelve Thousand Five Hundred (\$12,500.00) Dollars".

Amendment No. 2.

Amend House Bill No. 10, third paragraph of Section 1 of the advance printed bill, by striking out all after the word "office" in line 56, down to and including the words and figures "thirty-four thousand, two hundred (\$34,200.00)" of the same paragraph.

Amendment No. 3.

Amend House Bill No. 10, page 3 of the advance printed bill, line 24, by striking out the words and figures "eighteen thousand (18,000)", and substituting in lieu thereof the words and figures "twenty thousand (20,000)".

SEVENTY-FOURTH DAY.

Senate Chamber,

Austin, Texas,

May 22, 1931.

The Senate met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar E. Witt.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Farrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

Absent—Excused.

Stevenson.

Prayer by Rev. Wiggs of the House.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodruff.